

SENATOR GLASSCOCK

Moved to amend the amendment by adding to the same the words "or soda water."

SENATORS TERRELL, GLASSCOCK, STINSON AND BURGESS

Favored the amendments.

SENATOR BURNEY

Moved to postpone the further consideration of the bill and amendments till the first day of April.

Lost by the following vote:

YEAS—2.

Burney, Lane.

NAYS—22.

Abercrombie,	Glasscock,
Allen,	Gregg,
Bell,	Harrison,
Burgess,	Houston,
Calhoun,	Jarvis,
Claiborne,	Knittle,
Davis,	Stinson,
Douglass of J,	Terrell,
Douglass of G,	Upshaw,
Frank,	Woods,
Garrison,	Woodward.

ABSENT—2.

Field, Pope.

On motion of Senator Gregg

The Senate adjourned until 10 o'clock to-morrow morning.

FIFTY-SEVENTH DAY.

SENATE CHAMBER, }
AUSTIN, March 17, 1887. }

The Senate met pursuant to adjournment.

Lieutenant Governor Wheeler in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Davis,

The reading of the Journal of yesterday was dispensed with.

On motion of Senator Armistead, Senator MacManus was excused for three days on account of sickness.

On motion of Senator Houston, Senator Pope was excused indefinitely on account of sickness.

THE PRESIDENT

Gave notice of signing

House bill No. 103.

"An act to create Article 669a, title 8, chapter 5, of the Code of Criminal Procedure of the State of Texas so as to provide the order in which defendants charged with the same offense shall be tried,"

And

Substitute House bill No. 116.

"An act to repeal Articles 992, 993, 994, 995, 996 and 1001, and to amend Articles 988, 1002, 1006, 1008 and 1012, of chapter 1, title 13, of the Code of Criminal Procedure of the State of Texas and Article 1000, of chapter 1, title 13, as amended by chapter 12 of the General Laws of the Eighteenth Legislature of the State of Texas."

REPORT OF STANDING COMMITTEES.

BY SENATOR GREGG:

COMMITTEE ROOM, }
AUSTIN, March 17, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Internal Improvements, to whom was referred House bill No. 291, entitled:

"An act to provide for the assessment of taxes upon the railways of the State of Texas" have had the same under consideration and instruct me to report it back to the Senate with the recommendation that it be referred to the Committee on Finance.

All of which is respectfully submitted.

GREGG, chairman.

Bill ordered referred to Committee on Finance.

COMMITTEE ROOM, }
AUSTIN, TEXAS, March 17, 1887. }

Hon. T. B. Wheeler, President of the Senate.

Sir—Your Committee on Internal Improvements, to whom was referred House bill No. 27, entitled:

"An act to prohibit the watering of stock and bonds by railroad corporations, and to provide penalties for a violation of the same," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

GREGG, chairman.

Bill read first time.

BY SENATOR UPSHAW:

COMMITTEE ROOM, }
AUSTIN, March 16, 1887, }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Roads

and Bridges to whom was referred Senate bill No. 310, entitled:

"An act to create the office of county road overseer of the public roads in the organized counties in this State and to prescribe the duties and powers of such officer and to affix a penalty for violating the same and to provide a salary for such officers," have had the same under consideration and instruct me to report it back to the Senate with the accompanying amendments, and to recommend that the bill so amended do pass.

All of which is respectfully submitted.

UPSHAW, chairman.

Bill read first time.

COMMITTEE AMENDMENTS.

1. Page 2, line 4, section 2, after the word "court," insert, "out of the road and bridge fund."

2. Page 3, section 3, line 9, strike out the words "not in conflict with this act," and insert in lieu thereof the words, "and jurors of view."

3. Page 4, section 7, strike out all after the word "office," in line 6.

4. After section 9, insert section 10, as follows: "All laws and parts of laws in conflict with this act be, and the same are hereby repealed."

5. Change the number of section 10 to section 11, so as to conform to the fourth amendment.

BY SENATOR JARVIS:

COMMITTEE ROOM, }
AUSTIN, March 17, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Finance to whom was referred House bill No. 52, entitled:

"An act to amend title 95, of the revised Statutes by adding thereto Articles 4710a, 4710b, 4712a, 4748a, 4763a, and by amending Articles 4744, 4746, 4747, 4748 and 4761, so as to provide for a more thorough and efficient assessment of property and the collection of taxes thereon," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass with the following amendments:

Strike out Articles 4710a, 4710b, 4848a, 4761, 4765a, strike out the engross rider. Amend Article 4746, by striking out the words "whether resident or nonresident" and add to the close of the Article the following "provided there shall be no levy on

property when the owner thereof has the right to pay at the Comptroller's office until a list of the persons who have paid their taxes at said office has been furnished the collector of taxes by the Comptroller. The Comptroller shall forward said list of paid taxes on or before the first day of February of each year and the tax collector shall immediately on receipt of said list from the Comptroller, levy on and sell the property of such nonresidents as have not paid their taxes in accordance with the law regulating the sale of property for taxes.

All of which is respectfully submitted.

JARVIS, chairman.

Bill read first time.

BY SENATOR FIELD:

COMMITTEE ROOM, }
AUSTIN, TEXAS, March 17, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Enrolled Bills have carefully examined and compared Senate joint resolution No. 4,

"Authorizing the Attorney General to institute suit against all railroad companies and all other chartered companies who have obtained land from the State, for the forfeiture and recovery of such land," and find the same correctly enrolled, and have this day, at 9:30 o'clock a. m., presented the same to the Governor for his signature.

FIELD, chairman.

COMMITTEE ROOM, }
AUSTIN, March 17, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 4, being:

"An act to amend Article 3200 of the Revised Civil Statutes of the State of Texas," and find the same correctly enrolled, and have this day, at 9:30 o'clock, a. m., presented the same to the Governor for his signature.

FIELD, chairman.

COMMITTEE ROOM, }
AUSTIN, March 17, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 70, being:

"An act to amend Article 4488, title 90, of the Revised Civil Statutes of the State of Texas," and find the same correctly enrolled, and have this day, at

9:30 o'clock a. m., presented the same to the Governor for his signature.

FIELD, chairman.

COMMITTEE ROOM, }
AUSTIN, TEXAS, March 17, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 129, being,

"An act to authorize counties, cities and towns in this State, which have issued bonds to aid in the construction of railroads and other internal improvements, to adjust their rate of taxation so as to provide for the payment of the interest and sinking fund upon the same, and find the same correctly enrolled, and have this day, at 9:30 o'clock, a. m., presented the same to the Governor for his signature.

FIELD, chairman.

BY SENATOR FRANK:

SENATE CHAMBER, }
AUSTIN, March 15, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 222, entitled:

"An act to amend Article 765, title 17, chapter 13, of the Penal Code of the State of Texas, and to add thereto Article 765a and Article 765b," and find the same correctly engrossed.

FRANK, chairman.

SENATE CHAMBER, }
AUSTIN, March 15, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Engrossed Bills, have carefully examined Senate bill No. 239, entitled:

"An act to amend an act to amend an act, entitled, 'an act to redistrict the State into judicial districts and to fix the times for holding court therein, and to provide for the election of judges and district attorneys in said districts, at the next general election, to be held on the first Tuesday after the first Monday in November, 1884; approved April 9, 1883; approved March 24, 1885. To create the forty-third judicial district of the State of Texas; fix the times for holding court therein, and provide for the appointment of a district judge for said district,' and find the same correctly engrossed.

FRANK, chairman.

SENATE CHAMBER, }
AUSTIN, TEXAS, March 15, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Engrossed

Bills have carefully examined Senate bill No. 328, entitled,

"An act to amend an act to amend an act entitled 'an act to amend section 16, of an act entitled 'an act to redistrict the State into judicial districts, and fix the time of holding court therein, and to provide for the election of judges and district attorneys in said districts, at the next general election, to be held on the first Tuesday after the first Monday in November, 1884,' approved April 9, 1883,' approved March 30, 1885," and find the same correctly engrossed.

FRANK, chairman.

SENATOR ALLEN

Asked to correct the printed Journal to show that he opposed the amendment offered by Senator Claiborne, to allow ice cream to be sold on Sunday. (Journal corrected.)

THE PRESIDENT

Referred substitute House bill No. 257 to Judiciary Committee No 2.

House bill No. 283 to Committee on Private Land Claims.

House bill No. 548 to Judiciary Committee No. 1.

On motion of Senator Claiborne, Senate bill No. 299:

"An act to provide for building granite porticoes on the east and west ends of the new State capitol; to purchase certain property on the north side of said building; to provide for furnishing the new capitol and to improve the capitol grounds, and to make an appropriation for these purposes," was taken up and read second time with favorable committee report.

SENATOR BELL

Spoke against the bill.

SENATOR TERRELL

Moved to strike out sections 1 and 2, except the enacting clause, and to number the other sections to conform therewith.

SENATOR CLAIBORNE

Opposed the amendment and favored the bill.

SENATORS JARVIS, BELL AND TERRELL

Spoke in favor of the amendment.

SENATORS ARMISTEAD, GLASSCOCK AND GREGG

Spoke in favor of the bill and against the amendment.

SENATOR ALLEN

Made a speech in favor of the amendment and against the bill.

SENATOR DAVIS

Opposed windy speeches.

SENATOR CALHOUN

Spoke in favor of the amendment.

SENATOR HOUSTON

Opposed the amendment.

SENATOR BURNEY

Favored the amendment.

The amendment was adopted by the following vote:

YEAS—14.

Allen,	Frank,
Bell,	Garrison,
Burney,	Harrison,
Calhoun,	Jarvis,
Davis,	Lane,
Douglass of G,	Terrell,
Field,	Woods.

NAYS—13.

Armistead,	Houston,
Burges,	Knittle
Camp,	McDonald,
Claiborne,	Pope,
Douglass of J,	Upshaw.
Glasscock,	Woodward.
Gregg,	

ABSENT—3.

Abercrombie, Stinson.
Simkins,

SENATOR DAVIS

Moved to strike out all of section 5 down to and including the word "grounds," in line 19, and all of section six down to the word "capitol" in line 5.

SENATOR CLAIBORNE

Opposed the amendment.

The amendment was adopted by the following vote:

YEAS—21.

Allen,	Calhoun,
Bell,	Camp,
Burges,	Davis,

Douglass of J.	Knittle,
Douglass of G,	McDonald,
Field,	Simkins,
Frank,	Terrell,
Garrison,	Upshaw,
Gregg,	Woods,
Harrison,	Woodward.
Jarvis,	

NAYS—7.

Armistead,	Houston,
Burney,	Lane,
Claiborne,	Pope.
Glasscock,	

ABSENT—2.

Abercrombie, Stinson.

SENATOR WOODWARD

Moved to amend by striking out in line 19, section 5, page 3, the words "the said board are further," and inserting in lieu thereof the words "it shall be the duty of the State capital board and they are hereby."

Adopted.

SENATOR LANE

Moved to amend by striking out "and," and insert "that," in line 5, section 6.

SENATOR LANE

Explained the amendment and it was adopted.

SENATOR GREGG

Moved to amend section 6, line 7, by striking out the words "that portion of," and by striking out the words which refer to the grading and arranging of the capitol grounds," lines 8 and 9.

Adopted.

SENATOR DAVIS

Moved to strike out "fifty thousand" in line 5, section 6, and insert "twenty-five thousand."

SENATOR CLAIBORE

Opposed the amendment, and it was lost by the following vote:

YEAS—6.

Davis,	Jarvis,
Garrison,	Terrell,
Harrison,	Woods.

NAYS—19.

Abercrombie,	Armistead,
Allen,	Bell,

Burney,
Calhoun,
Camp,
Claiborne,
Douglass of J,
Douglass of G,
Field,
Frank,

ABSENT—5.

Burges,
Houston,
Knittle,

(Senator Lane in the chair.)

SENATOR ALLEN

Moved to strike out all of sections 5 and 6 not already stricken out by previous amendments.

SENATOR ALLEN

Spoke in favor of the amendment.
It was lost.

SENATOR HARRISON

Moved to strike out section 7.

SENATOR GLASSCOCK

Opposed the amendment.
The amendment was adopted.

SENATOR ARMISTEAD

Moved to strike out all of the caption from the words "an act" down to and including the word "building" in third line.

Adopted, and as amended the bill was passed to engrossment.

On motion of Senator Bell, the constitutional rule was suspended and the bill was placed on its third reading and final passage by the following vote:

YEAS—23.

Abercrombie,
Allen,
Armistead,
Bell,
Burges,
Burney,
Calhoun,
Camp,
Claiborne,
Davis,
Field,
Frank,

Garrison,
Glasscock,
Jarvis,
Knittle,
Lane,
McDonald,
Simkins,
Terrell,
Upshaw,
Woods,
Woodward.

NAYS—none.

ABSENT—7.

Douglass of J,
Douglass of G,
Gregg,
Harrison,

Houston,
Pope,
Stinson.

The bill was read third time and passed by the following vote:

YEAS—26.

Abercrombie,
Allen,
Armistead,
Bell,
Burges,
Burney,
Calhoun,
Claiborne,
Davis,
Douglass, of J
Douglass, of G
Field,
Frank,

Garrison,
Glasscock,
Gregg,
Harrison,
Jarvis,
Knittle,
Lane,
McDonald,
Simkins,
Terrell,
Upshaw,
Woods,
Woodward.:

NAYS—none.

ABSENT—4.

Camp,
Houston,

Pope,
Stinson.

The Senate resumed consideration of Senate bill No. 188, with amendment of Senator Armistead pending.

The amendment was adopted unanimously.

The bill was passed by the following vote:

YEAS—26.

Abercrombie,
Allen,
Armistead,
Bell,
Burges,
Burney,
Calhoun,
Camp,
Claiborne,
Davis,
Douglass of G,
Field,
Frank,

Garrison,
Glasscock,
Gregg,
Harrison,
Jarvis,
Knittle,
Lane,
McDonald,
Simkins,
Terrell,
Upshaw,
Woods,
Woodward.

NAYS—none.

ABSENT—4.

Douglass of J.
Houston,

Pope,
Stinson.

Senate bill No. 222.

"An act to amend Article 765, title 17, chapter 13, of the Penal Code of the State of Texas, and to add thereto

Articles 765a and 765b," was laid before the Senate, read third time and passed. Senate bill No. 240.

"An act to amend Article 1639a of an act to amend title 32, chapter 17, of the Revised Civil Statutes of the State of Texas, approved April 14, A. D. 1888," was laid before the Senate, read third time and passed.

Senate bill No. 261:

"An act to provide for the purchase of a site for, and the establishment, location, construction and maintenance of a State orphan asylum," was laid before the Senate and read third time.

SENATOR FRANK

Moved to amend the caption by adding after the word "asylum" the following: "And to make an appropriation therefor."

Adopted by the following vote:

YEAS—25.

Abercrombie,	Garrison,
Allen,	Glasscock,
Armistead,	Gregg,
Bell,	Jarvis,
Burges,	Knittle,
Burney,	Lane,
Calhoun,	McDonald,
Camp,	Simkins,
Claiborne,	Terrell,
Davis,	Upshaw,
Douglass of G,	Woods,
Field,	Woodward.
Frank,	

NAYS—none.

ABSENT—5.

Douglass of J,	Pope,
Harrison,	Stinson.
Houston,	

The bill was passed.

Senate bill No. 265.

"An act to amend Article 4702, chapter 3, title 95, of the Revised Civil Statutes of the State of Texas, relating to the oath administered by assessors of taxes rendering property for taxation."

SENATOR ABERCROMBIE

Moved to amend by adding after the words "just and true," in line 12, section 1, the following words, "to the best of my knowledge and belief."

Adopted by the following vote:

YEAS—22.

Abercrombie,	Camp,
Allen,	Burges,
Armistead,	Calhoun,

Davis,
Douglass of G,
Garrison,
Glasscock,
Harrison,
Houston,
Jarvis,
Knittle,

Lane,
McDonald,
Pope,
Simkins,
Terrell,
Upshaw,
Woods,
Woodward.

NAYS—6.

Bell,
Burney,
Claiborne,

Douglass of J,
Frank,
Gregg.

ABSENT—2.

Field,

Stinson.

The bill as amended was passed.

Substitute Senate bill No. 206.

"An act to authorize William M. Wilson to sue the State of Texas in the district court of Travis county, Texas, to determine whether or not the State of Texas is indebted to him in any sum on account of the building and construction of the State penitentiary at Rusk," was laid before the Senate, read third time and passed by the following vote:

YEAS—16.

Abercrombie,	Davis,
Allen,	Field,
Armistead,	Glasscock,
Bell,	Houston,
Burney,	Knittle,
Calhoun,	Lane,
Camp,	Terrell,
Claiborne,	Woodward.

NAYS—13.

Burges,	Jarvis,
Douglass of J,	McDonald,
Douglass of G,	Pope,
Frank,	Simkins,
Garrison,	Upshaw,
Gregg,	Woods.
Harrison,	

ABSENT—1.

Stinson.

SENATOR FRANK

Sent up the following privileged report:

COMMITTEE ROOM, }
AUSTIN, March 17, 1887. }

Hon. T. E. Wheeler, President of the Senate:

Sir—Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 291, being:

"An act to authorize any city or town in this State to compromise existing indebtedness and to issue new bonds to be sold for this purpose and

to provide for the efficient collection of taxes to pay the principal and interest of such new bonds and to provide for the appointment of receivers for said municipal corporations during the pendency of negotiations for such compromise," and find the same correctly engrossed.

FRANK, chairman.

On motion of Senator Upshaw,
Senate bill No. 323.

"An act for the relief of J. C. Patton," was taken up and read second time with committee amendment,

SENATORS BELL, ARMISTEAD AND
TERRELL

Spoke in favor of the bill, and

SENATORS HARRISON AND WOODS

Against it.

SENATOR TERRELL

Moved to add to the committee amendment as follows:

"And this proviso shall be embodied in the face of each certificate issued hereunder."

Adopted, and the committee amendment as amended was adopted and the bill was ordered engrossed.

On motion of Senator McDonald,
Senate bill No. 191.

"An act to provide for the appointment of district and county clerks pro tem., in certain cases," was taken up and read second time with favorable report.

SENATOR M'DONALD

Moved to amend the bill by adding thereto section 4, to read as follows:

"Section 4. The near approach of the close of the present session, rendering it impracticable to read the bill on three several days, creates an imperative public necessity requiring that the constitutional rule requiring bills to be read on three several days be suspended and it is according so enacted."

Adopted and the bill was passed to engrossment.

On motion of Senator McDonald,

The constitutional rule was suspended and the bill was placed on its third reading and final passage by the following vote:

YEAS—26.

Abercrombie,	Burney,
Allen,	Calhoun,
Armistead,	Camp,
Bell,	Claiborne,

Davis,
Douglass of J,
Douglass of G,
Field,
Frank,
Garrison,
Glasscock,
Gregg,
Harrison,

Jarvis,
Knittle,
Lane,
McDonald,
Pope,
Simkins,
Terrell,
Woods,
Woodward.

NAYS—none.

The bill was read third time and passed.

On motion of Senator Bell,
Senate bill No. 336.

"An act to reorganize the twenty-ninth, thirty-first, thirty-second, thirty-third, thirty-fifth and thirty-ninth judicial district, and to create the forty-second judicial district, and to fix the times for holding courts therein, and to provide for the appointment and election of district judges and district attorneys in the thirty-second and forty-second judicial districts, and to repeal all laws in conflict therewith," was taken up and read second time with favorable report and ordered engrossed.

SENATOR TERRELL

Moved to adjourn till 3 o'clock p. m.

SENATOR HOUSTON

Moved to adjourn till 10 o'clock to morrow morning.

The last motion was put first and lost by the following vote:

YEAS—5.

Burges,
Claiborne,
Houston,

Pope,
Woodward.

NAYS—22.

Abercrombie,
Allen,
Armistead,
Bell,
Burney,
Calhoun,
Camp,
Davis,
Douglass of J,
Douglass of G,
Field,

Frank,
Garrison,
Glasscock,
Gregg,
Harrison,
Jarvis,
Lane,
McDonald,
Simkins,
Terrell,
Woods.

ABSENT—3.

Knittle,
Stinson,

Upshaw.

The motion of Senator Terrell was then adopted, and

The Senate adjourned till 3 o'clock p. m.

AFTERNOON SESSION.

The Senate met pursuant to adjournment,

Senator Pope, President pro tem., in the chair.

Roll called.

Quorum present.

SENATOR DOUGLASS OF JEFFERSON,

Entered a motion to reconsider the vote by which his amendment to House bill No. 60, "to strike out September," was adopted.

On motion of Senator Bell,

House bill No. 129.

"An act to amend Article 339, chapter 4, title 19, of the Penal Code," was taken up and read second time with committee amendment.

SENATOR ABERCROMBIE

Moved to amend committee amendment by adding after the words "or to which persons resort for the purpose of smoking," the following words, "or in any manner using."

Adopted.

On motion of Senator Bell,

The committee amendment as amended was adopted.

As amended the bill was passed to third reading.

The Senate resumed consideration of House bill No. 128, with amendment of Senator Claiborne and Senator Glasscock pending.

The amendment of Senator Glasscock to the amendment was adopted.

SENATOR BURGESS

Moved to amend by adding after "soda water," "tamales and chille con carne."

Lost by the following vote:

YEAS—7.

Burges,	Jarvis,
Douglass of J,	Knittle,
Gregg,	Upshaw.
Houston,	

NAYS—19.

Abercrombie,	Frank,
Allen,	Garrison,
Armistead,	Glasscock,

Bell,	Harrison,
Burney,	Lane,
Calhoun,	Pope,
Claiborne,	Terrell,
Davis,	Woods,
Douglass of G,	Woodward.
Field,	

ABSENT—1.

Stinson.

The amendment as amended was adopted.

SENATOR UPSHAW

Moved to amend by adding after the word "fee," in line 12, page 2, Article 186, so as to read as follows:

"That nothing in this act shall be so construed as to apply to any person who conscientiously believes that the seventh or any other day of the week ought to be observed as the Sabbath, and who actually refrain from business and labor on that day for religious reasons."

SENATOR ALLEN

Opposed and

SENATORS UPSHAW AND BURGESS

Favored the amendment, and it was adopted by the following vote:

YEAS—18.

Abercrombie,	Harrison,
Armistead,	Houston,
Burges,	Jarvis,
Calhoun,	Knittle,
Claiborne,	Lane,
Davis,	Pope,
Douglass of G,	Terrell,
Field,	Upshaw,
Gregg,	Woodward.

NAYS—7.

Allen,	Garrison,
Bell,	Glasscock,
Burney,	Woods.
Frank,	

ABSENT—2.

Douglass of J, Stinson.

SENATOR LANE

Moved to

Amend by adding after the word "Sunday," in line 5, the words, "except in cases of necessity;" and by adding after the word "house," in line 7, the words, "while people are there assembled for the purpose of public worship."

SENATOR LANE

Favored, and

SENATOR CALHOUN

Opposed the amendment and it was lost.

SENATOR BURGESS

Moved to

Amend the bill by adding to the last section "provided that nothing in this bill shall be construed so as to prevent people from assembling in any pleasure garden and there having music and keeping beer and wine who then and there conduct themselves in a peaceful manner."

SENATOR BURGESS

Made a speech in favor of the amendment.

The amendment was lost by the following vote:

YEAS—7.

Burges,	Lane,
Claiborne,	Pope,
Douglass of J,	Woodward.
Knittle,	

NAYS—17.

Abercrombie,	Frank,
Allen,	Garrison,
Armistead,	Gregg,
Bell,	Harrison,
Burney,	Houston,
Calhoun,	Jarvis,
Davis,	Upshaw,
Douglass of G,	Woods.
Field,	

ABSENT—3.

Glasscock,	Terrell.
Stinson,	

SENATOR GREGG

Moved to amend section 186 by adding after "soda water," the words "livery stables,"

SENATOR GREGG

Explained the amendment and it was adopted.

SENATOR BURGESS

Moved to amend Article 183. "Provided that this law shall not be construed to prevent a person from hunting on their own land or the premises on which he dwells.

Lost.

SENATOR GREGG

Moved to amend the bill by striking

out all of Article 186, after the word "dollars" in line 4, page 2, and adding Article 186a, embracing all that is stricken out of Article 186, and amend caption to correspond.

SENATOR GREGG

Explained the amendment.

SENATOR GLASSCOCK

Moved the previous question on amendment and bill.

Seconded and main question ordered.

The amendment was adopted.

And the bill, as amended, passed to third reading by the following vote:

YEAS—20.

Abercrombie,	Garrison,
Allen,	Glasscock,
Armistead,	Gregg,
Bell,	Harrison,
Burney,	Jarvis,
Calhoun,	Lane,
Davis,	Pope,
Douglass of G,	Terrell,
Field,	Upshaw,
Frank,	Woods.

NAYS—5.

Burges,	Knittle,
Claiborne	Woodward.
Douglass of J,	

ABSENT—2.

Houston.	Stinson.
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On motion of Senator Burney,
House bill No. 185.

"An act to amend section 38, of an act entitled 'an act to redistrict the State into judicial districts and to fix the times for holding courts therein,'" etc," was taken up and read second time and passed to third reading.

By leave:

SENATOR BELL

Sent up the following reports:

COMMITTEE ROOM. }
AUSTIN, March 16, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Private Land Claims, to whom was referred House bill No. 283, entitled:

"An act to require the Commissioner of the General Land Office to issue to the heirs of James L. Holmes duplicate county warrants for 1920 acres of land," have had the same un-

der consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.
* All of which is respectfully submitted.

BELL, for committee.
Bill read first time.

COMMITTEE ROOM, }
AUSTIN, March 17, 1887. }

Hon. T. B. Wheeler, President of the Senate.

Sir—Your Committee on Private Land Claims, to whom was referred Senate bill No. 308, entitled:

"An act authorizing the Commissioner of the General Land Office to issue to the heirs of Erastus Smith a league and labor land certificate and authorizing its location in conformity with act of the First Congress of Texas, entitled, 'an act for the relief of Erastus Smith, passed November 11, 1836,'" have had the same under consideration and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

BELL, for committee.
Bill read first time.

On motion of Senator Glasscock,
House bill No. 385.

"An act to postpone the levy upon and sale of real and personal property for taxes assessed for the year 1886 in the counties herein named, until the first day of November, A. D. 1887," was taken up and read second time, with favorable report.

[SENATOR ARMISTEAD]

Moved to

"Strike out the words 'Tarrant' and 'Bexar.'"

SENATOR BURNEY

Opposed, and

SENATOR ARMISTEAD

Favored the amendment.

SENATOR LANE

Offered the following substitute for the amendment:

Amend by striking out the words "Caldwell, Gaudalupe, Tarrant, Jackson, Victoria, DeWitt, Calhoun, Goliad, Refugio, Aransas, Marion, Kerr, Kendall, Kimble, Bee, Live Oak, Mc-

Mullen, San Patricio, Nueces, Tom Green, Presidio, Hays, Lampasas, Burnet, Wilson, Karnes, Atascosa, Bosque and Bexar."

SENATORS LANE AND CLAIBORNE

Favored the amendment, and

SENATORS BURGESS AND TERRELL

Opposed the amendment.

SENATORS WOODS AND ALLEN

Opposed the bill.

SENATOR DOUGLASS OF JEFFERSON

Offered the following substitute for the pending substitute and amendment.

Amend by striking out all of section 1. after the word "collectors" in line 3, page 1, of printed bill down to and including the word "Hardeman" in line 1, page 2, of printed bill and amend the caption to conform therewith."

On motion of Senator Houston,

The further consideration of the bill was postponed till to-morrow afternoon by the following vote:

YEAS—16.

Allen,	Harrison,
Burges,	Houston,
Calhoun,	Jarvis,
Davis,	Knittle,
Douglass of G,	Pope,
Field,	Terrell,
Frank,	Upshaw,
Garrison,	Woodward.

NAYS—9.

Abercrombie,	Douglass of J,
Armistead,	Gregg,
Bell,	Lane
Burney,	Woods.
Claiborne,	

ABSENT—2.

Glasscock, Stinson.

On motion of Senator Upshaw,
The Senate adjourned till 10 o'clock to-morrow morning by the following vote:

YEAS—15.

Abercrombie,	Burges,
Armistead,	Douglass of J,

Field,
Garrison,
Gregg,
Houston,
Jarvis,
Knittle,

Pope,
Terrell,
Upshaw,
Woods.
Woodward.

NAYS—10.

Allen,
Bell,
Burney,
Calhoun,
Claiborne,

Davis,
Douglass of G,
Frank,
Harrison,
Lane.

ABSENT—2.

Glasscock,

Stinson.

FIFTY-EIGHTH DAY.

SENATE CHAMBER, }
AUSTIN, TEXAS, March 18, 1887. }

The Senate met pursuant to adjournment.

The President and President pro tem. being absent,

Secretary Ramey occupied the chair.
Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

The first thing announced in order was the election of a President pro tem. for the day.

On motion of Senator Frank,

It was agreed to ballot for a President pro tem. for the day.

SENATOR FRANK

Nominated Senator Terrell for President pro tem. for the day.

SENATORS LANE, BURNEY AND GLASSCOCK

Were appointed as tellers.

The ballot being cast up,
Senator Terrell received twenty-two votes,

Senator Harrison received one vote, and

Senator Garrison received one vote.

SENATOR TERRELL,

Having received a majority of all the votes cast, was declared elected President pro tem. for the day, and was administered the oath of office and occupied the chair.

On motion of Senator Knittle,

The reading of the Journal of yesterday was dispensed with.

On motion of Senator Frank,
Senator Field was excused for three days on account of important business.

On motion of Senator Houston,
Senator Pope was excused for the day on account of sickness.

On motion of Senator Knittle,
Senator Stinson was excused from attendance yesterday on account of sickness.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, }
AUSTIN, TEXAS, March 18, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—I am instructed by the House to inform the Senate that the House refuses to concur in the Senate amendments to

House bill No. 101.

"An act to amend sections 1 and 4, as amended by an act entitled 'an act to amend sections 1 and 4 of an act to regulate the sale of spirituous, vinous and malt liquors, or medicated bitters; to fix the rate of occupation taxes upon all persons, firms or association of persons engaged in the sale of spirituous, vinous or malt liquors, or medicated bitters; to define the time and manner of collecting such tax, and to affix penalties for failure to pay the same, and to repeal all laws and parts of laws in conflict with the provisions of this act,' approved April 4, 1881."

And,

That the House does concur in Senate amendments to

House bill No. 122.

"An act to amend section 13, of an act entitled 'an act to amend section 13 of an act to redistrict the State into judicial districts, and fix the times for holding courts therein, and to provide for the election of judges and district attorneys in said districts, at the next general election to be held on the first Tuesday after the first Monday in November, 1884,' approved March 31, 1885."

And

That the House does not concur in Senate amendments to House bill No. 24, known as the "reformatory bill," asks for a conference committee, and that Messrs. Tate, Moore of Travis, and Biard have been appointed as such committee upon the part of House.

Also,